

**CEMETERY ADVISORY COMMITTEE  
MINUTES  
1400 EAST WASHINGTON AVENUE, MADISON  
SEPTEMBER 15, 1998**

**PRESENT:** Secretary Marlene Cummings, Marie Drescher, Reverend LeRoy Mixon, Dewey Mathewson, John Nelson, E. Glen Porter III, David Stucki, Tim Tysver

**EXCUSED:** Dicie Mae James, Beverly Steinhoff, Laurel Schaftary, Geraldine Williamson

**STAFF PRESENT:** Cletus Hansen, Jacquelynn Rothstein, Deputy Secretary Patricia McCormack, Michelle Krisher; Staff from the Division of Enforcement

**GUESTS:** Tom Fonfara (representing Quarles & Brady), Dorinda Floyd (representing the City of Milwaukee), Fannie Smith (representing Milwaukee County Supervisor James White), Jean Moore (Division of Enforcement Liaison)

**CALL TO ORDER**

The meeting was called to order at 9:35 a.m. by Division Administrator Cletus Hansen.

**AGENDA**

The agenda was informally approved.

**MINUTES (6/18/98)**

**MOTION:** Tim Tysver moved, seconded by David Stucki, to approve the minutes as written. Motion carried.

**ADMINISTRATIVE REPORT**

**Secretary Cummings' Report**

Secretary Marlene Cummings discussed issues relating to Evergreen Cemetery in Milwaukee.

**Division Administrator Report**

• **Committee Membership Roster**

The Committee received a copy of the Cemetery Advisory Committee roster.

• **Telephone Directory**

Division of Business Licensure and Regulation telephone directory. Noted.

**DISCUSSION ISSUES**

### **Report on Evergreen Cemetery**

The Committee received a copy of the Final Decision and Order in the matter concerning Evergreen Cemetery. Candace Bloedow, Consumer Specialist with the Division of Enforcement, reported that the issues relating to Evergreen Cemetery are still under investigation. The Department is currently working with the Milwaukee County District Attorney's office in regard to this matter. Ms. Bloedow introduced Jean Moore who is performing on-site monitoring of the cemetery on behalf of the Department.

### **City of Milwaukee Proposal Relating to a Cemetery Management Reserve Fund**

The Committee received a copy of a document entitled, "Proposed Changes to Chapter 157." Dorinda Floyd, from the City of Milwaukee, explained the proposed changes which were developed to address management of cemeteries that have been abandoned or mismanaged, funding sources to manage these cemeteries, and authority to develop and enforce standards for the management and care of cemeteries. Cletus Hansen noted that Secretary Cummings has indicated she does want to form a study committee to study these issues.

The Committee discussed the proposed changes and noted the comments and recommendations presented by Ms. Floyd. The Committee informally agreed not to express a position at this time, but to await the drafting of a bill.

### **Maintenance and Care of Cemeteries**

Unprofessional conduct as it relates to maintenance and care of cemeteries was discussed. Under the current statutes, unprofessional conduct focuses more on issues that relate to the sale of cemetery lots and cemetery merchandise, rather than on aspects of managing and operating a cemetery. Members discussed whether or not minimum standards of care could be identified. The Committee concluded that if minimum standards of care were developed, they would need to be based upon the generally accepted standards established by the community.

### **Maintenance and Care of Cemetery Monuments**

Committee members discussed issues relating to the responsibilities of cemetery authorities and cemetery lot owners for the maintenance and care of cemetery monuments. It was noted that a cemetery can specify what they will and will not allow for a grave marker, but once the grave marker is placed, it is the property of the owner of the lot.

### **Trusting Requirements for Lawn Crypts**

Discussion of this item was tabled until the next meeting.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

Milwaukee Journal Sentinel article entitled, "Cemetery Dig Yields Worst Fears." Noted.

Milwaukee Journal Sentinel article entitled, "Watchdog Group Calls for Mass Exhumation." Noted.

Chicago Tribune article entitled, "Buried by Time, Cemetery in Middle of New Dispute." Noted.

Committee members received a copy of the Court of Appeals Decision involving Cemetery Services, Inc., and SCI Wisconsin Funeral Services, Inc., vs. the Wisconsin Funeral Directors Association. A member suggested that an article addressing the conflict of interest of a funeral director serving as a member on a cemetery board be published in the Regulatory Digest for both funeral directors and cemeteries.

#### **NEW BUSINESS**

No new business to report.

#### **NEXT MEETING**

The next meeting will be November 5, 1998, beginning at 9:30 a.m. in Madison.

#### **ADJOURNMENT**

**MOTION:** Tim Tysver moved, seconded by Glen Porter, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 12:05 p.m.